

## REMARKS

Claims 1-5, 7, 8, 10-19 and 21-27 are pending in this case. Claims 1-5, 7, 8, 10-19 and 21-27 have been rejected. Claims 6, 9, 20 and 28 - 41 were previously cancelled in response to a restriction requirement. Claims 1, 12, 13 and 19 have been amended to more particularly point out the subject matter claimed by the Applicants as their invention. Claim 11 has been cancelled. The specification has been amended to include references to existing features in the drawings. No new matter has been added.

The Examiner has objected to the drawings stating that the drawings do not show every feature of the invention specified in the claims, namely the pre-scored cuts claimed in claims 16, 18 and 27. The pre-scored cuts are shown in Figures 22, 23, 30, 36, 39, 42, 48 and 51 but were not labeled. The pre-scored cuts have been labeled and replacement sheets are included with this response.

Claims 1 – 3, 7, 8, 10 and 15 have been rejected under 35 USC 102 as being anticipated by Kobayashi et al. Kobayashi teaches a closure device for containers consisting of 2 elements, namely, a barrier layer and a layer of heat sealable material. Claim 1 of the instant application claims a closure consisting of 3 elements, namely, a frame, a cover panel and a molded fusion ring. Kobayashi does not disclose or suggest using a frame or a molded fusion ring. Thus, Kobayashi does not anticipate or render the instant application obvious.

Claims 4 and 5 have been rejected under 35 USC 103 as being unpatentable over Kobayashi in view of Brifcani et al. Brifcani is cited as teaching an upwardly extending peripheral rim for stacking purposes. The addition of Brifcani does not teach or suggest the molded fusion ring claimed in claim 1 from which claims 4 and 5 depend, thus the combination of Kobayashi and Brifcani does not render the instant invention as presently claimed obvious.

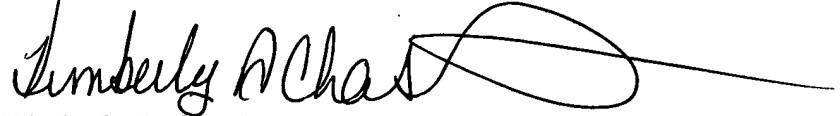
Claims 11-14 and 17 have been rejected under 35 USC 103 as being unpatentable over Kobayashi in view of Dubois et al. and Guglielmo. The Examiner cites Dubois and Guglielmo for the use of an electromagnetic, polymeric fusible material and the application of an electromagnetic field to bond a closure to a container. Kobayashi does not teach or suggest using induction bonding to bond a closure to a container, thus there is no encouragement to combine Kobayashi with Dubois and/or Guglielmo. Furthermore, Dubois teaches the use of a strand of material while the instant invention claims a molded fusion ring used with a frame and a cover panel for single piece closure construction. Guglielmo merely teaches a material which can be used as an electromagnetic adhesive. The combination of Kobayashi with Dubois et al. and Guglielmo does not render the present invention as currently claimed obvious.

Claims 19 and 21 – 26 have been rejected under 35 USC 103 as being unpatentable over Kobayashi in view of Dubois et al. and Guglielmo. The Examiner further cites Dubois as teaching a container with a lower edge. As discussed above, there is no suggestion to combine Kobayashi with Dubois and/or Guglielmo. As discussed above, there is no teaching in Kobayashi, Dubois or Guglielmo to use a molded fusion ring which combines with a cover panel and a frame to create a single piece closure which can be bonded with a container. The combination of Kobayashi with Dubois et al. and Guglielmo does not render the present invention as currently claimed obvious.

Claims 16, 18 and 27 have been rejected under 35 USC 103 as being unpatentable over Kobayashi in view of McHenry et al. McHenry is cited as teaching an upwardly extending peripheral rim for stacking purposes. The addition of McHenry does not teach or suggest the molded fusion ring claimed in claim 1, from which claim 16 depends, claim 17 from which claim 18 depends, and claim 19 from which claim 27 depends, thus the combination of Kobayashi and McHenry does not render the instant invention as presently claimed obvious.

All claims now in the application are deemed patentably distinguishable over the art applied and noted, but not relied upon. Accordingly, allowance of the application is solicited.

Respectfully submitted,



Kimberly A. Chasteen  
Reg. No. 36,755

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(757) 249-5100  
Williams Mullen  
721 Lakefront Commons, Suite 200  
Newport News, VA 23606